

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 117 – HB 121

March 1, 2017

SUMMARY OF ORIGINAL BILL: Requires the State Board of Education (SBE), in conjunction with the Department of Health (DOH), and the Board of Pharmacy, to adopt rules that authorize local education agency (LEA) personnel to administer medication to treat adrenal insufficiency to students. Requires such rules to include guidance on who will be responsible for administering medication and that parents must notify the school that a student has been diagnosed with adrenal insufficiency. Requires LEAs to adopt rules governing the administration of the requisite medication and prohibits LEAs from requiring school personnel who have not received appropriate training from administering the medication.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (004349): Deletes and rewrites the bill such that the only substantive changes are: (1) to include the Department of Children's Services (DCS) among the departments with which the SBE must consult when adopting rules for the dispensation of medication for students suffering from adrenal insufficiency; and (2) to limit the liability of the LEA employee that administers the medication for adrenal insufficiency as well as the boards of education that authorize the dispensation of medication.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. §§ 49-50-1601 and 1602, LEA personnel are currently authorized to keep students' medications on school grounds and help students with self-administration of prescribed medications.
- The parents or guardians of the student suffering from adrenal insufficiency will provide the medication.
- The SBE will adopt rules for the administration of medication to treat adrenal insufficiency during the normal course of board meetings.

SB 117 – HB 121

- Based on information provided by the Department of Education (DOE) and the DOH, local education agencies currently have a physician available through the Office of Coordinated School Health and Health Services to sign off on all procedures and policies relative to the provision of student medication by LEA personnel.
- Any fiscal impact to state government is estimated to be not significant.
- Pursuant to Tenn. Code Ann. § 68-1-1203, each LEA is required to have at least one Registered Nurse (RN) on staff.
- RNs are qualified to deliver training to other LEA personnel on the administration of medication for adrenal insufficiency. Based on information from the DOE, specialized training materials will not be necessary to train appropriate volunteer personnel.
- Any increase in local expenditures is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/maf